

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)

K.S., by her interim guardians ad litem, and  
DOROTHY SPIOTTA and PAUL SPIOTTA,

Plaintiffs,

v.

AMBASSADOR PROGRAMS, INC.; et al.,

Defendants.

CASE NO. 1:10-cv-00439 (TSE/JFA)

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**JOINT MOTION FOR LEAVE TO SUBMIT THE TERMS OF THE PARTIES’  
RESOLUTION UNDER SEAL**

Pursuant to Local Civil Rule 5(C), the parties, by and through their respective undersigned counsel, respectfully request that the Court enter an Order allowing the parties to submit the terms of their resolution, per the Court’s August 11, 2010 Order [Docket 510] **under seal**. In support of this sealing motion, the parties state as follows:

1. This matter arises from and primarily concerns a dispute regarding alleged personal injuries to K.S., a minor.
2. The parties have reached an amicable resolution of the above-referenced matter.
3. On August 11, 2010, the Court entered an Order requiring the parties to jointly submit the terms of their resolution and a proposed approval order by 5:00 p.m., Thursday, August 12, 2010.
4. The parties have agreed to keep the terms of the resolution confidential. This agreement was made, in part, because of the interest in preserving K.S.’s privacy. Indeed, throughout this litigation, the parties have entered appropriate protective orders and stipulations to preserve the confidentiality of information concerning K.S. Inasmuch as the resolution of this

case implicated these concerns, the parties ask the Court to keep the material submitted pursuant to the Court's Order under seal.

5. In light of their agreement to keep the terms of their agreement resolving this matter confidential, the parties jointly seek leave to submit the terms of their agreement for filing under seal, and further request that the parties' agreement, the report of K.S.'s guardian *ad litem* (which contains information regarding K.S. and the resolution of the case that are of a private and confidential nature) remain permanently under seal.

6. “A district court has supervisory power over its own records and may, in its discretion, seal documents if the public’s right of access is outweighed by competing interests.” *In re The Knight Publishing Company d/b/a The Charlotte Observer*, 743 F.2d 231, 235 (4<sup>th</sup> Cir 1984).

7. In this instance, any presumption of openness is overcome by the overriding interest of the K.S.'s right to privacy, particularly in this instance, where the claims being resolved involve the minor's alleged personal and emotional injuries. Moreover, the parties have an overriding interest in preserving the confidentiality of the terms of their resolution in this case, which cannot be protected by any measure short of permanently sealing the resolution agreement.

WHEREFORE, the parties request that the Court enter an Order allowing the parties to submit the terms of their resolution under seal.

Jointly submitted,

AMBASSADOR PROGRAMS, INC. and  
AMBASSADORS GROUP, INC.

By: \_\_\_\_\_/s/  
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PEOPLE TO PEOPLE INTERNATIONAL

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 12<sup>th</sup> day of August, 2010, that I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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AND I HEREBY CERTIFY that I will email and mail the foregoing document and the NEF by United States mail, postage prepaid, to the following non-filing users:

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